

“(b) ENFORCEMENT ACTION.—

“(1) IN GENERAL.—A covered individual who alleges discharge or other discrimination by any employer in violation of subsection (a) may seek relief under subsection (c) by—

“(A) filing a complaint with the Secretary of Labor; or

“(B) if the Secretary has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

“(2) PROCEDURE.—

“(A) IN GENERAL.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

“(B) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to any individual named in the complaint and to the employer.

“(C) BURDENS OF PROOF.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code.

“(D) STATUTE OF LIMITATIONS.—A complaint under paragraph (1)(A) shall be filed with the Secretary of Labor not later than 180 days after the date on which the violation occurs.

“(E) CIVIL ACTIONS TO ENFORCE.—If a person fails to comply with an order or preliminary order issued by the Secretary of Labor pursuant to the procedures in section 42121(b), the Secretary of Labor or the person on whose behalf the order was issued may bring a civil action to enforce the order in the district court of the United States for the judicial district in which the violation occurred.

“(c) REMEDIES.—

“(1) IN GENERAL.—A covered individual prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the covered individual whole.

“(2) COMPENSATORY DAMAGES.—Relief for any action under paragraph (1) shall include—

“(A) reinstatement with the same seniority status that the covered individual would have had, but for the discrimination;

“(B) the amount of back pay, with interest; and

“(C) compensation for any special damages sustained as a result of the discrimination including litigation costs, expert witness fees, and reasonable attorney's fees.

“(d) RIGHTS RETAINED BY WHISTLEBLOWERS.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any covered individual under any Federal or State law, or under any collective bargaining agreement.”.

Mr. BENNET. I ask unanimous consent the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 42), as amended, was ordered to be engrossed for a third read-

ing, was read the third time, and passed.

RECOGNIZING THE FESTIVAL OF DIWALI

Mr. BENNET. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 277, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 277) recognizing the religious and historical significance of the festival of Diwali.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BENNET. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 277) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 30, 2013, under “Submitted Resolutions.”)

AUTHORIZING REVISED EDITION OF THE STANDING RULES

Mr. BENNET. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 285, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 285) authorizing the Committee on Rules and Administration to prepare a revised edition of the Standing Rules of the Senate as a Senate document.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BENNET. Mr. President, I ask unanimous consent the resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 285) was agreed to.

(The resolution is printed in today's RECORD under “Submitted Resolutions.”)

MEASURE READ THE FIRST TIME—H.R. 3204

Mr. BENNET. Mr. President, I understand that H.R. 3204 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 3204) to amend the Federal Food, Drug and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

Mr. BENNET. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR TUESDAY, NOVEMBER 5, 2013

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, November 5, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate resume consideration of the motion to proceed to S. 815, the Employee Non-Discrimination Act postclosure, and that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings; and finally, that all time during adjournment, recess, and morning business count postclosure on the motion to proceed to S. 815.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BENNET. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 7:12 p.m., adjourned until Tuesday, November 5, 2013, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 4, 2013:

THE JUDICIARY

GREGORY HOWARD WOODS, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

DEBRA M. BROWN, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI.